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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,301	07/30/2001	Paul G. Allen	4000.2.52	9860
32641	7590	07/12/2006	EXAMINER	
DIGEO, INC C/O STOEL RIVES LLP 201 SOUTH MAIN STREET, SUITE 1100 ONE UTAH CENTER SALT LAKE CITY, UT 84111			MIRZA, ADNAN M	
			ART UNIT	PAPER NUMBER
			2145	

DATE MAILED: 07/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/918,301

Applicant(s)

ALLEN ET AL.

Examiner

Adnan M. Mirza

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Examiner withdraws the finality of the rejection and issued a new office action.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arnott (U.S. 2002/0083462) and Liwerant et al (U.S. 2002/0056123).

As per claim 1,20,39 Arnott disclosed a method for displaying video streams received from multiple terminals linked by a network, the method comprising: receiving a plurality of video streams at a network terminal; simultaneously displaying the video streams in a user interface provided by the network terminal (Page. 4, Paragraph 0043);

However Arnott did not disclose in detail ranking at least a portion of the video streams according to a set of ranking criteria, and arranging at least a portion of the simultaneously-displayed video streams within the user interface in order of rank.

In the same field of endeavor Liwerant disclosed, "A sharing module streams the video segment in streaming video format to the destination computer in response to a return of the identification

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tag to the receiving computer. The video segment is streamed over the network or another network such as the Web. The sharing module can stream the video segment to a specified computer. The sharing module can stream the video segment at the selected bit rate. The sharing module can stream the video segment at a selected performance level. The sharing module can streams the video segment in a selected format (Page. 8, Paragraph. 0074).

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to have incorporated A sharing module streams the video segment in streaming video format to the destination computer in response to a return of the identification tag to the receiving computer. The video segment is streamed over the network or another network such as the Web. The sharing module can stream the video segment to a specified computer. The sharing module can stream the video segment at the selected bit rate. The sharing module can stream the video segment at a selected performance level. The sharing module can streams the video segment in a selected format as taught by Liwerant in the method of Arnott to overcome the disadvantage of streaming the content of the video according to different criteria such as bit-rate, Performance level.

3. As per claims 2,21,40 Arnott-Liwerant disclosed further comprising: detecting a scene change within a first video stream; and promoting the first video stream to a higher rank (Liwerant, Page. 8, Paragraph. 0074).

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4. As per claims 3,22,41 Arnott-Liwerant disclosed wherein at least one video stream comprises a scene change, and wherein at least a portion of the video streams are ranked according to recency of scene changes (Liwerant, Page. 8, Paragraph. 0074).

5. As per claims 4,23,42 Arnott-Liwerant disclosed wherein at least one video stream comprises a scene change, and wherein at least a portion of the video streams are ranked according to frequency of scene changes (Liwerant, Page. 8, Paragraph. 0074).

6. As per claims 5,24,43 Arnott-Liwerant disclosed wherein the video streams are ranked according to popularity (Liwerant, Page. 9, Paragraph. 0081).

7. As per claims 6,25,44 Arnott-Liwerant disclosed wherein at least one video stream is promoted to a higher rank in response to the time of day (Liwerant, Page. 8, Paragraph. 0074).

8. As per claims 7,26,45 Arnott-Liwerant disclosed wherein at least one video stream is promoted to a higher rank in response to the day of the week (Liwerant, Page. 8, Paragraph. 0074).

9. As per claims 8,27,46 Arnott-Liwerant disclosed wherein at least one video stream is promoted to a higher rank in response to information contained within a user's calendar (Liwerant, Page. 8, Paragraph. 0074).

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10. As per claims 9,28,47 Arnott-Liwerant disclosed wherein displaying comprises: displaying the video streams in a grid format in the user interface (Liwerant, Page. 8, Paragraph. 0070).

11. As per claims 10,29,48 Arnott-Liwerant disclosed wherein a video stream displayed near the top of the user interface has a higher rank than a video stream displayed near the bottom of the user interface (Liwerant, Page. 7, Paragraph. 0062).

12. As per claims 11,30,49 Arnott-Liwerant disclosed wherein a video stream displayed near the left side of the user interface has a higher rank than a video stream displayed near the right side of the user interface (Liwerant, Page. 7, Paragraph. 0061).

13. As per claims 12,31,50 Arnott-Liwerant disclosed wherein displaying comprises: displaying the video streams in a ticker format in the user interface (Liwerant, Page. 8, Paragraph. 0072).

14. As per claims 13,32,51 Arnott-Liwerant disclosed wherein the ticker format comprises a moving carousel having a beginning position and an ending position (Liwerant, Page. 8, Paragraph. 0072), and wherein a video stream displayed near the beginning position has a higher rank than a video stream displayed near the ending position (Liwerant, Page. 8, Paragraph. 0074).

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15. As per claims 14,33,52 Arnott-Liwerant disclosed wherein displaying comprises: emphasizing the video stream of highest rank (Liwerant, Page. 7, Paragraph. 0062).

16. As per claims 15,34,53 Arnott-Liwerant disclosed wherein emphasizing comprises: enlarging the video stream of highest rank as displayed on the user interface relative to the other video streams (Liwerant, Page. 9, Paragraph. 0081).

17. As per claims 16,35,54 Arnott-Liwerant disclosed wherein the network comprises one of a cable network and a direct satellite broadcast (DBS) network (Liwerant, Page. 4, Paragraph. 0045).

18. As per claims 17,36,55 Arnott-Liwerant disclosed wherein the terminal comprises an interactive television system (Liwerant, Page. 9, Paragraph. 0082).

19. As per claims 18,37,56 Arnott-Liwerant disclosed wherein at least one video stream comprises a broadcast television program (Liwerant, Page. 8, Paragraph. 0074).

20. As per claims 19,38,57 Arnott-Liwerant disclosed wherein at least one video stream comprises live video generated by a web cam (Liwerant, Page. 10, Paragraph. 0084).

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21. As per claims 58,59 Arnott-Liwerant disclosed a method for displaying video streams received from multiple web cams linked by a network, the method comprising: receiving a plurality of video streams at an interactive television system coupled to the network; simultaneously displaying the video streams in a user interface provided by the interactive television system (Arnott, Page. 4, Paragraph 0043); ranking at least a portion of the video streams according to a user-defined set of ranking criteria (Liwerant, Page. 8, Paragraph. 0074); arranging at least a portion of the displayed video streams in the user interface in order of rank; detecting a change of scene within a first video stream; promoting the first video stream to a higher rank; and re-arranging at least a portion of the displayed video streams in the user interface in order of rank (Liwerant, Page. 7, Paragraph. 0062).

22. Claims 60-61 has the same limitations as to claim 58 therefore under the same criteria claims 60-61 can be rejected.

Conclusion

23. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Adnan Mirza whose telephone number is (571)-272-3885.

24. The examiner can normally be reached on Monday to Friday during normal business hours. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

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supervisor, Jason Cardone can be reached on (571)-272-3933. The fax for this group is (703)-746-7239. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

25. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866)-217-9197 (toll-free).

AM

Adnan Mirza

Examiner


JASON CARDONE
SUPERVISORY PATENT EXAMINER